

**mkbp**

Miller Keffer Bullock Pedigo  
Attorneys and Counselors

May 1, 2007

Robert George  
Kutak Rock LLP  
214 W Dickson St  
The Three Sisters Building  
Fayetteville AR 72701-5221

**Via Email and FedEx**

Re: State of Oklahoma v. Tyson et al., No. 05-CV-0329-GKF-SAJ

Dear Robert:

My office will be sending by overnight delivery the State's supplement to its production in response to the Court's January 4, 2007 Order. As we understand that Order, it requires only the production of data and does not require us to reveal at this point the opinions of experts. In supplementing this production, we are not waiving any of our rights.

You will receive the following data from the State's scientific investigation:

Four EML Bacteria reports (STOK0024482-24493)  
Seven Aquatic Research data review reports (STOK0024494-24519)  
Seven Aquatic Research phosphorous reports (STOK0024520-24526)  
One A&L data report (STOK0024527-24616)  
One A&L review report (STOK0024617-24687)

We are also this date supplementing our production of reports and pictures relating to our investigation of the waste disposal practices of the Poultry Integrator Defendants (OK-PL-012676 through 013366) (STOK0024281-24481).

Regarding the promised production of the coordinates of the sampling sites, I may need to take you up on your offer to include those in next month's production. When I promised it for this production, I had not anticipated that the staff that we needed to

222 S. Kenosha Ave. \* Tulsa, OK 74120 \* 918-584-2001 \* Fax 918-743-6689

**Exhibit 1**

complete it would be in the field and unavailable. I have asked them to make every effort to have it completed so that I can provide it to you by May 14<sup>th</sup>. I believe that we can have it by that date and will make every effort to do so. Regardless, we will have it by the time we make our production next month. I apologize for any inconvenience this might cause.

I did check on where we are regarding our development of a method using accepted scientific techniques to use DNA to track poultry waste as it moves through various media in the IRW. The best that I can tell you at this time is that we are within thirty to sixty days of having the method completed. As we have promised, once the testing methodology is completed, it will be provided to you.

I will try to reach you later today so that we might discuss this.

Sincerely,

/s/ Louis W. Bullock<sub>/nh</sub>